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FISCAL IMPACT STATEMENT

LS 7240

BILL NUMBER: HB 1316

NOTE PREPARED: Apr 21, 2011

BILL AMENDED: Apr 18, 2011

SUBJECT: Parental Reimbursement for Juvenile Services.

FIRST AUTHOR: Rep. Dermody

FIRST SPONSOR: Sen. Steele

BILL STATUS: As Passed Senate

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill establishes the Division of Youth Services Transitional Services Fund to provide juvenile transitional services to delinquent offenders. The bill permits a juvenile court to order a parent or guardian of the estate of a child to pay the clerk of the court to provide funds to reimburse: (1) the Department of Correction (DOC) for the costs incurred by the DOC for a child who is committed to the DOC; and (2) a county for the payment of costs or services for the placement of a child in need of services or a delinquent child.

This bill also urges the Legislative Council to assign as study topics during the 2011 legislative interim whether there should be additional oversight of the fund, parental reimbursement, and other legislative recommendations.

Effective Date: Upon Passage; July 1, 2011.

Explanation of State Expenditures: This bill urges the Legislative Council to refer the study of the Division of Youth Services Transitional Fund to an interim study committee. Because this bill urges the Legislative Council to assign the study topic to an already existing interim study committee this provision is expected to have minimal fiscal impact.

Explanation of State Revenues: (Revised) This bill allows the Department of Correction to request a juvenile court to consider if an adjudicated juvenile delinquent's parent(s) should pay for or reimburse DOC for the costs of treatment services. This could increase revenue the DOC receives and help offset DOC expenditures on treatment services provided to juvenile delinquents. Actual increases in revenue will depend on (1) if courts require parents to pay for or reimburse DOC expenses for treatment services, (2) the amounts

courts order parents to pay that are determined using child support guidelines, (3) any negotiations made between DOC and an adjudicated juvenile delinquent's parent(s) and (4) actual amounts paid by parents for treatment services. The estimated average cost of treatment services for juvenile offenders is currently not known.

Additionally, the bill creates the Division of Youth Services Transitional Services Fund. DOC is required to deposit all funds received from juvenile service reimbursement in this fund. Money in this fund is nonreverting, continually appropriated to DOC, and can be augmented or supplemented to provide juvenile transitional services to delinquent offenders and collect reimbursement from parents.

Explanation of Local Expenditures: This bill may increase local court workload to hold additional hearings to determine (1) if an adjudicated juvenile delinquent's parent(s) should pay for or reimburse DOC or counties for the costs of services provided and (2) to reduce any unpaid balance to a final judgment order at the end of a juvenile delinquency action that is required to be paid for by the delinquent's parent(s).

(Revised) Additionally, this bill may increase local workload to the extent collections are pursued against an adjudicated juvenile delinquent's parent(s) that fails to make required reimbursement payments for treatment services. Increases in workload are indeterminable.

Explanation of Local Revenues: The bill allows courts to determine if the parent(s) or legal guardian(s) of a delinquent child or child in need of services (CHINS) should reimburse the county for the costs of services or placement if a county is responsible for the payment of these services. This bill may increase local revenue to the extent the court orders reimbursement of county expenses for services and placement of juvenile delinquents. Actual increases in revenue are unknown; however, increases in revenue are anticipated to partially offset county expenditures for juvenile delinquent services and placement.

State Agencies Affected: DOC.

Local Agencies Affected: Counties; Local courts.

Information Sources: Indiana Sheriffs' Association, Department of Correction.

Fiscal Analyst: Bill Brumbach, 232-9559.